

NOV 30 2016

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Case No. 3:16-CV-621

US District Court
Western District of NC

A. COTTEN WRIGHT, in her capacity as the court-appointed Receiver for DCG Real Assets, LLC, DCG Commercial Fund I, LLC, H20, LLC, DCG PMG, LLC, DCG PMF, LLC, Finely Limited, LLC, DCG Funds Underwriting, LLC, DCG ABF Management, LLC, DCG Funds Management, LLC, Davis Capital Group, Inc., Davis Financial, Inc., DCG Commercial Holdings, LLC, DCG Commercial, LLC, DCG Partners, LLC, DCG Real Estate Development, LLC, Huntersville Plaza Phase One, LLC, Huntersville Plaza Phase Two, LLC, North Lake Business Park, LLC, and Richard Davis Enterprises, LLC,

Plaintiff,

v.

JOHN A. BAYNES, III, JOHN BAYNES COMPANY, INC., JBC, INC., BARON ROAD PARTNERS, LLC, MICHAEL T. O'BRIEN, DEBORAH K. MCDONNELL, and JOSEPH D. PHELPS,

Defendants.

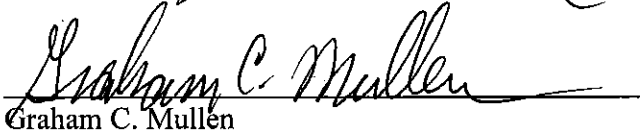
**CONSENT ORDER GRANTING
MOTION FOR PARTIAL JUDGMENT
ON THE PLEADINGS**

THIS MATTER comes before the Court on the consent of the parties named below and in connection with the Plaintiff's *Motion for Partial Judgment on the Pleadings* (Doc. No. 13) filed on November 14, 2016 (the "Motion"). Through the Motion, Plaintiff seeks judgment on the pleadings on her claim for declaratory relief that a certain deed of trust purportedly encumbering receivership property is void. The Court is informed that the parties named below have agreed to entry of an Order granting the Motion.

IT IS, THEREFORE, ORDERED that the Motion is **GRANTED**.

SO ORDERED.

Signed on this 30th day of November, 2016.


Graham C. Mullen

UNITED STATES DISTRICT JUDGE

APPROVED FOR ENTRY BY:

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By: /s/ Michael L. Martinez

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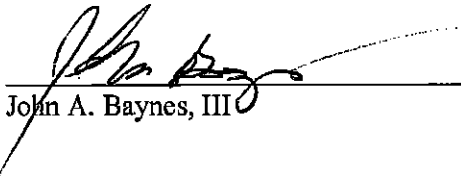
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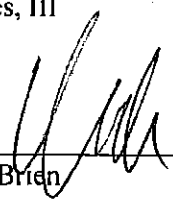
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